

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

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P R O C E E D I N G S

BOARD MEETING

Tuesday, November 28, 1978

10:00 o'clock a.m.

DOYLE G. BERRY,
Chairman

Wildlife and Fisheries
Building, Room 102
400 Royal Street
New Orleans, Louisiana

Kathryn G. Chamberlin,
Reporter



Helen R. Dietrich, inc.
Stenotypists

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P R O C E E D I N G S

. . . Pursuant to notice, the regular monthly meeting of Louisiana Wildlife and Fisheries Commission convened at 10:00 o'clock a.m. on Tuesday, November 28, 1978, at the Wildlife and Fisheries Building, 400 Royal Street, Room 102, New Orleans, Louisiana, Doyle G. Berry, Chairman, presiding.

PRESENT WERE:

DOYLE G. BERRY, Chairman
DONALD F. WILLE, Vice Chairman
MARC DUPUY, JR., Member
J. C. GILBERT, Member
JEAN LAPEYRE, Member
H. CLAY LUTTRELL, Member
J. BURTON ANGELLE, Secretary.

A G E N D A

1. Approval of minutes of October 25, 1978. (5)

DR. LYLE ST. AMANT

2. Request from A. Giambelluca Construction, (6)
Inc. for renewal permit to remove fill
material from the Mississippi River,



right descending bank, at approximately
Mile Post 124.65 AHP, at Hahnville, St.
Charles Parish, Louisiana.

3. Request from Marshland Dredging Company, Inc. (8)
for renewal of permit to pump fill
material from submerged sandbars in the
Mississippi River in the vicinity of
Mile 229.6 and 230.5.
4. Request from Amite Acres, Inc. for permit (9)
to dredge fill material from the Amite
River, one-half mile upstream from
Amite River Bridge.
5. Request from Louisiana Materials Company, (11)
Inc. for renewal of permit to remove
sand, gravel and/or fill material from
the Mississippi River at Mile Posts
177 through 181 (Point Darrow).
6. Request from F & S Equipment Company, Inc. (12)
for renewal of permit to remove sand
from the left descending bank of the
Mississippi River at Mile Point 118 AHP.
7. Request from Louisiana Materials Company, Inc. (14)
for renewal of permit to remove sand,



gravel and/or fill materials within the following areas in the Mississippi River: Mile Posts 163-165 and Mile Posts 131-133.

8. Request from OKC Dredging, Inc. for renewal of permit to remove sand and/or fill material from the Mississippi River Mile 116 AHP to 117 AHP, Fairview Landing near St. Rose, St. Charles Parish, Louisiana. (16)
9. Request from Wetwiski Contractors, Inc. for permit to remove fill material between Miles 83 and 86 from State Lease 509+98.7 downstream to State Lease 641+75.1 from the Mississippi River. (17)
10. Request to dredge fill material from Lake Pontchartrain by St. Tammany Shell Co., Inc. (19)

MR. RICHARD YANCEY

11. Lease of 640 acres to be added to Pointe-au-Chien Wildlife Management Area. (23)
12. Allocation to Ducks Unlimited from 1978-79 license sales. (28)



MR. JOE HERRING

12. Saline Wildlife Management Area right-of-way servitude for road. (31)

13. Catahoula Lake laying pipelines. (34)

OTHER BUSINESS

14. Set date for December meeting. (30)

ADJOURNMENT

(42)

:

CHAIRMAN DOYLE G. BERRY: Good morning, ladies and gentlemen. We are glad to have you with us this morning. I can tell we are not going to talk about the steel shot or shutting any seasons because there is nobody in the audience this morning, and that's nice.

The first item on the agenda this morning is approval of the minutes of the meeting of October 25. Do I have a motion?

MR. WILLE: I so move.



MR. DUPUY: Second.

THE CHAIRMAN: I have a motion and a second. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

Dr. St. Amant.

DR. LYLE ST. AMANT: Mr. Chairman and Members of the Commission, we have a number of items this morning. Most of them, however, are renewals and should not cause any problem. I will go through them one at a time.

The first is a request from A. Giambelluca Construction Company for renewal of a permit to remove fill from the Mississippi River at Mile Post 124. This permit has been in effect. We have found no problem with it. I would recommend that it be renewed for one year at ten cents a yard.

THE CHAIRMAN: You have heard the recommendation. Do I have a motion?

MR. LAPEYRE: So move.



MR. LUTTRELL: Second.

THE CHAIRMAN: We have a motion and a second. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to A. GIAMBELLUCA CONSTRUCTION, INC., to remove fill material from the Mississippi River, right descending bank, at approximately Mile Post 124.65 AHP, at Hahnville, St. Charles Parish, Louisiana, for a period of one year from November 28, 1978 to November 28, 1979, at a royalty rate of ten cents per cubic yard.



DR. ST. AMANT: The second item is a request from Marshland Dredging Company, Inc. for renewal of their permit to pump fill and sand from the Mississippi River at Mile 229.6 to 230. This permit has been in effect without any problem. I would recommend it be renewed for one year at ten cents per yard.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. Do I have a motion?

MR. WILLE: I so move.

THE CHAIRMAN: Do I have a second?

MR. DUPUY: I will second it.

THE CHAIRMAN: Moved and seconded. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

BE IT RESOLVED that the
Louisiana Wildlife and Fisheries



Commission does hereby grant permission to MARSHLAND DREDGING COMPANY, INC. to remove fill material from submerged sandbars in the Mississippi River in the vicinity of Mile 229.6 and 230.5, for a period of one year from November 28, 1978 to November 28, 1979, at a royalty rate of ten cents per cubic yard.

DR. ST. AMANT: The third item is a request by Amite Acres, Inc. to dredge from the Amite River one-half mile above the Amite River Bridge, and we have no problem with this. It is a small operation. We have examined it. It meets the requirements of the Commission. I would recommend we grant a permit for one year at ten cents a yard.

THE CHAIRMAN: Doc, that is not on that scenic rivers thing over there, is it?

DR. ST. AMANT: No, the scenic river is well above this. The scenic portion of the Amite stops at Grangeville. This is down well below



all the other gravel and sand operations. I don't think there is any problem with it.

MR. WILLE: I so move.

THE CHAIRMAN: We have a motion. Do we have a second?

MR. DUPUY: I will second it.

THE CHAIRMAN: All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the
resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Wildlife and Fisheries
Commission does hereby grant permis-
sion to AMITE ACRES, INC. to remove
fill material from the Amite River,
one-half mile upstream from the
Amite River Bridge for a period of
one year from November 28, 1978 to
November 28, 1979, at a royalty



rate of ten cents per cubic yard.

DR. ST. AMANT: Fourth is a request by Louisiana Materials, Inc. for renewal of permit to remove sand and gravel or fill material from the Mississippi River at Mile Post 177 through 181. This permit has been in effect and without problems. I would recommend that it be renewed for one year at ten cents per yard.

THE CHAIRMAN: You have heard the recommendation, gentlemen. Do I have a motion?

MR. DUPUY: I will move.

MR. WILLE: Second.

THE CHAIRMAN: We have a motion and a second. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the
resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Wildlife and Fisheries



Commission does hereby grant permission to LOUISIANA MATERIALS CO., INC. to remove sand, gravel and/or fill material from the Mississippi River at Mile Posts 177 through 181 (Point Darrow), for a period of one year from November 28, 1978 to November 29, 1979, at a royalty rate of ten cents per cubic yard.

DR. ST. AMANT: Item 5 is a request from F & S Equipment Company for renewal of their permit to remove sand at Mile 118 AHP. This permit has been in effect for several years without any problems. We would recommend it be continued for one year at ten cents a yard.

THE CHAIRMAN: Hearing the recommendation, do we have a motion?

MR. LAPEYRE: May I ask a question, please?

THE CHAIRMAN: Yes, sir.

MR. LAPEYRE: That ten cents, is that correct for sand and gravel?



DR. ST. AMANT: Yes. Most of this river material is fill sand and it is ten cents. In any event, where they would dredge construction sand or happen to get some gravel, it is charged at a different rate. They normally are not able to get any good sand or gravel until they get well above Baton Rouge, so any of these things in the lower end of the river, while they may say "fill sand" or they may say "sand and gravel," they don't get any gravel in these areas.

MR. LAPEYRE: The appropriate charge is made for the type of material then?

DR. ST. AMANT: The appropriate charge is made for the type of material because they are audited on type of material.

THE CHAIRMAN: Gentlemen, you have the recommendation. Do I have a motion?

MR. LAPEYRE: I move.

THE CHAIRMAN: Do I have a second?

MR. DUPUY: Second.

THE CHAIRMAN: We have a motion and a second. All in favor say aye.

IN UNISON: Aye.



THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the
resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Wildlife and Fisheries
Commission does hereby grant permis-
sion to F & S EQUIPMENT, INC. to
remove sand from the left descending
bank of the Mississippi River at
Mile Point 118 AHP, for a period of
one year from November 28, 1978, to
November 28, 1979, at a royalty rate
of ten cents per cubic yard.

DR. ST. AMANT: Request from Louisiana
Materials Company, Inc. for renewal of their per-
mit to remove sand, gravel and/or fill material
from the Mississippi River at Mile Posts 163-165
and 131-133. This permit has been in effect at
these two areas for a number of years and we have
had no problems, and I recommend it be extended



for another year at ten cents a yard.

MR. WILLE: I so move.

THE CHAIRMAN: We have a motion. Do I hear a second?

MR. DUPUY: I will second that.

THE CHAIRMAN: We have a motion and a second. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the
resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Wildlife and Fisheries
Commission does hereby grant per-
mission to LOUISIANA MATERIALS CO.
to remove sand, gravel and/or fill
materials within the following areas
in the Mississippi River:

Mile Posts 163-165

Mile Posts 131-133



for a period of one year from November 28, 1978 to November 28, 1979, at a royalty rate of ten cents per cubic yard.

DR. ST. AMANT: Number 8 is a request from OKC Dredging for renewal of their permit to remove and fill material from the Mississippi River at Mile 116-117. This permit has been in effect without any problems. We recommend it be renewed or extended for one year at ten cents a yard.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. What is your pleasure?

MR. DUPUY: I move.

THE CHAIRMAN: We have a motion, do we have a second?

MR. LUTTRELL: Second.

THE CHAIRMAN: All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the



resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Wildlife and Fisheries
Commission does hereby grant permission
to OKC DREDGING, INC. to remove sand
and/or fill material from the Missis-
sippi River, Mile 116 AHP to 117 AHP,
Fairview Landing hear St. Rose, St.
Charles Parish, Louisiana, for a period
of one year from November 29, 1978 to
November 29, 1979, at a royalty rate
of ten cents per cubic yard.

DR. ST. AMANT: Number 9. We granted
this contractor, Wetwiski, a permit just about two
months ago at two sites. What happened was that
when he began and tried to get his Corps permit,
they had some problem with where he had selected
the site, so they requested that he move his
dredging sites and combine it in one, so what he
has come back to us and asked us is to change this
and this is what this is. I recommend that we
grant this new permit to the Wetwiski Contractors



at Mile 83-86 for a period of one year at ten cents a yard and it will be in effect a new contract.

THE CHAIRMAN: Gentlemen, do we have a motion?

MR. WILLE: I move.

THE CHAIRMAN: Do we have a second?

MR. DUPUY: I will second it.

THE CHAIRMAN: All in favor?

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to WETWISKI CONTRACTORS, INC. to remove fill material between Miles 83 and 86 from State Lease 509+98.7 downstream to State Lease 641+75.1



from the Mississippi River, for a period of one year from November 28, 1978 to November 28, 1979, at a royalty rate of ten cents per cubic yard.

DR. ST. AMANT: The last item, No. 10, is a request for a permit to dredge for fill material in Lake Pontchartrain by the St. Tammany Shell Company, Inc., a Mr. R. Cox. Now Mr. Cox came in and he requested that he be allowed to dredge in a small area off the Bonnet Carre Spillway which has been silted up extensively during the time the Spillway was open. He is asking for an area one mile offshore, which is beyond the closed areas and which is 1320 feet square. This is a relatively small operation. It probably would be done with a dragline. I find no problem with it. I would recommend he be granted a permit for one year at ten cents with a proviso that he not get involved in the removal of any shells from the area, because that would be in conflict with existing permits.

MR. GILBERT: Dr. St. Amant, didn't we



have some problem or something with Pontchartrain back when we set the new rates on our schedule? What was the situation on Pontchartrain?

DR. ST. AMANT: The only problem we have had on Lake Pontchartrain with sand dredging was one -- I don't know, Mr. Gilbert, whether it happened before you came, but there was one company requested an area to dredge in the center of the lake. They asked for one square mile and they asked to dredge some 20 or 30 feet deep. We didn't have any problem with it because we recognized that even though they asked for this big an area that they probably couldn't dredge more than a few acres a year, but the environmental concerns were such that there was opposition to the permit at the Corps and finally the company just gave up on it. They just never got it. As far as I know we have had no problem in the Lake other than that.

There is a possibility that someone would object to this, but I mean it is really a small operation and I don't see any real problem with it.

THE CHAIRMAN: Well, Doc, from a layman's



standpoint, it is reasonable for me to assume that if they don't continue dredging Lake Pontchartrain the thing is eventually going to silt up and build up and you will have very, very little water out there, am I right?

DR. ST. AMANT: Well, this area off the Bonnet Carre Spillway, of course, silted up rather heavily there after it was opened and there is no doubt a great deal of spill material there. I don't think there is any problem with dredging it at all. Shell dredging in the Lake, of course, is what is called a sweeping operation and they really don't take anything out of the Lake except the shells. They just run these sweeper cutterheads about three feet or more under the surface and pump the material right back and they clean the shell out. So, actually, except for the operation off the Lakefront Airport where they are dredging a significant amount of material to build the runways and improve that airport, there is no great amount of material being taken from the Lake at all.

Now that was examined over some length of time and they had a long environmental impact



statement developed over it and after much study by all the federal agencies apparently they were granted the permit to go ahead and dredge and they are dredging off the Lakefront Airport.

THE CHAIRMAN: We have a recommendation. Do we have a motion?

MR. WILLE: So move.

THE CHAIRMAN: Moved by Mr. Wille. Is there a second?

MR. LAPEYRE: Second.

THE CHAIRMAN: Seconded by Mr. Lapeyre. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to ST. TAMMANY SHELL COMPANY, INC.



to remove sand and/or fill material from an area of 1,320 square feet, one mile offshore in Lake Pontchartrain from the east guide levee of Bonnet Carre Spillway. See attached maps.* This permit will be for a period of one year from November 28, 1978 to November 28, 1979, at a royalty rate of ten cents per cubic yard.

*Note: Maps appended hereto and made a part hereof.

THE CHAIRMAN: Thank you, Dr. St. Amant. Mr. Yancey, Item No. 11.

MR. RICHARD YANCEY: Mr. Chairman and Members of the Commission, the Terrebonne Parish School Board is offering a free 99-year lease on 640 acres of marshland, School Board land, that is located almost in the center of the Pointe au Chien Wildlife Management Area down in Terrebonne Parish, and we would like to suggest that the Commission authorize the Director to execute this lease. If that land is made a part of the Management Area it will considerably enhance the Manage-



ment Area as a whole because of the proximity it is to the heart of the area. It lies immediately west of the main headquarters and with the leasing of that land it will considerably improve the overall management capabilities of that area there.

Now instrumental in the development of this agreement was the Terrebonne Parish Port Commission, and we have with us this morning Mr. Philip Prejean. Perhaps he would want to say a few words to the Commission. Now the proposed lease form is more or less patterned after the lease that we have on the Atchafalaya Bay area from the State Land Office and the lease has been reviewed by our people and also Peter Duffy and it appears to be in good order. Perhaps at this time you would wish to hear from Mr. Prejean.

THE CHAIRMAN: Would you wish to be heard at this time?

MR. PHILIP PREJEAN: Yes, sir. It is just --

THE CHAIRMAN: Would you come up to the podium, please, sir.

MR. PREJEAN: In accepting this lease



you would help the Terrebonne Port Commission develop its port facility in Houma. Presently we own 400 acres of wetlands which we propose to develop into a barge port facility. Before we can get a permit to do this, we have to satisfy the U. S. Fish & Game Service with some mitigation lands and over a period of time we have developed a compromise with them that they would accept the School Board giving to the Louisiana Wildlife and Fisheries Commission this Section 16 land for management in lieu of us giving or buying some land and giving it to them. You would be helping the School Board as well as the Terrebonne Port Commission, by accepting this.

SECRETARY ANGELLE: Is this a donation or a 99-year lease?

MR. PREJEAN: It is a 99-year lease.

THE CHAIRMAN: Thank you very much, Philip. Appreciate your being here this morning.

Gentlemen, you have heard the recommendation by Mr. Yancey. Do I have a motion?

MR. LAPEYRE: I will so move, Mr. Chairman.



THE CHAIRMAN: Moved by Mr. Lapeyre.

Do I have a second?

MR. DUPUY: I will second it.

THE CHAIRMAN: Seconded by Mr. Dupuy.

All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

MR. DUPUY: Mr. Chairman, I would suggest we express our thanks and appreciation to the Terrebonne Parish School Board because it is an outstanding contribution to our wildlife conservation and particularly to that Management Area.

THE CHAIRMAN: Very good, Mr. Dupuy. I concur in that.

So ordered.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, the Terrebonne Parish
School Board has offered a free 99-year
lease to the Department of Wildlife and
Fisheries on Section 16 T 19 S R 19 E



with the land to be made a part of the
Pointe au Chien Wildlife Management
Area, and

WHEREAS, this tract of marsh-
land is located in the heart of the
Wildlife Management Area and would make
an invaluable addition to the 27,000-
acre Pointe au Chien Wildlife Management
Area,

THEREFORE BE IT RESOLVED that
the Louisiana Wildlife and Fisheries
Commission does hereby approve and
accept the offer from the Terrebonne
Parish School Board to incorporate
Section 16, T 19 S, R 19 E, into the
Pointe au Chien Wildlife Management
Area and hereby authorizes the Secretary
of the Department of Wildlife and Fish-
eries to execute the free 99-year lease
from the Terrebonne Parish School Board,
and

THEREFORE BE IT FURTHER RESOLVED
that the Secretary of the Department



express appreciation to the President of the Terrebonne Parish School Board for making this land available to be made a part of the Pointe au Chien Wildlife Management Area.

THE CHAIRMAN: Would you like a letter, Marc, sent on that, from the Commission?

MR. DUPUY: Yes.

THE CHAIRMAN: Mr. Secretary, would you prepare a letter for the Commission's signature to the Terrebonne Parish School Board?

SECRETARY ANGELLE: That is on motion by Mr. Lapeyre and seconded by Mr. Dupuy? Yes, sir.

THE CHAIRMAN: Mr. Yancey, go ahead, please.

MR. YANCEY: O. K. The next item I have is that the statutes provide that 50 cents from each basic resident hunting license sold in Louisiana will be made available to Ducks Unlimited for the development and management of breeding ground areas for waterfowl in Canada. In the past the Commission has made its first grant at about this time of year, which would this year constitute



an advance payment on the revenue that will be received from the sale of the 1978-79 hunting licenses. In checking with the accounting section I have a memorandum from Mary Mitchell which advises that an advance payment of \$100,000 could be authorized at this time.

We feel that the Commission should take some action on this at this time.

THE CHAIRMAN: I think that is good, Mr. Yancey, but I think next year we ought to keep some of that money at home and build some alligator-proof ponds for the ducks to rest in, because I think the alligators in the marsh are getting more ducks than the hunters are.

MR. YANCEY: They are picking up a few!

THE CHAIRMAN: You have heard the recommendation. Do I have a motion?

MR. LUTTRELL: I so move.

THE CHAIRMAN: Do we have a second?

MR. DUPUY: I will second it.

THE CHAIRMAN: Seconded. Any discussion? All in favor say aye.

IN UNISON: Aye.



THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, in accordance with
law, the Louisiana Wildlife and Fish-
eries Commission has dedicated funds
to be granted to Ducks Unlimited, Inc.
for the development and preservation
of breeding grounds for migratory
waterfowl in Canada, and

WHEREAS, these funds will be
used to produce ducks and geese that
winter in Louisiana,

NOW THEREFORE BE IT RESOLVED
that the Louisiana Wildlife and Fish-
eries Commission does hereby grant to
Ducks Unlimited, Inc., a sum of
\$100,000 as advance payment on the
sale of 1978-79 hunting licenses.

THE CHAIRMAN: The December meeting will



be on December 18 at 11 o'clock in this office. It will be a one-day meeting. There is very little on the agenda and it is the holiday season and nobody wants to work.

Mr. Herring.

MR. JOE HERRING: Thank you, Mr. Chairman. The first item we have is a request from the Tensas Basin Levee District and the Catahoula Parish Police Jury more or less for permission to maintain the diversion canal levee road that is presently on our area. It was turned over to us when the Levee Board no longer needed it and it is an access point from Larto Lake community to Alexandria. It is an all-weather road now but the Police Jury and the Levee Board have maintained it and have kept it up but they don't have any type of agreement with us for them to be spending funds to keep it up. They have asked that we do give them permission to maintain this road and keep it up. However, we will maintain all of our control on it for wildlife purposes and any access purposes. We can close it at any time during high water, we can control firearms going across



this road, we can close it if we have high water where the wildlife is on it, and we would just maintain our complete wildlife control on it but will give them permission to put gravel on it and keep it maintained for public use as an access point there.

With this in there our attorney had drawn up an agreement for us which would hold us harmless for any of this and also give them permission to maintain it but on the other hand, it would leave all the controls with Wildlife and Fisheries. Mr. Duffy has drawn this agreement up and I would recommend to the Commission then that we would let them maintain it for that purpose.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. Do we have a motion?

MR. LUTTRELL: So move.

THE CHAIRMAN: Do we have a second?

MR. DUPUY: Second.

THE CHAIRMAN: Is there any discussion on this matter? All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?



(No response)

So ordered.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS the Catahoula Parish
Police Jury has requested a right-of-
way along the crown of the Diversion
Canal Levee located within the boun-
daries of the Saline Wildlife Manage-
ment Area for use and establishment of
a public road, and

WHEREAS, this proposal
involves Department-owned property
in both Catahoula and LaSalle Parishes,
most of which is in LaSalle Parish, and

WHEREAS, at the present time
this road provides ample all-weather
access for sportsmen utilizing the
area and is subject to regulation by
the Department, and

WHEREAS, management objectives
necessitate that we have control of major



access points in order to regulate camping, littering, and transportation of firearms, dogs and livestock through the area, and

WHEREAS, the Diversion Canal Levee and berms are utilized by displaced animals during periods of high water and access must be restricted during these times,

NOW THEREFORE BE IT RESOLVED that the Department of Wildlife and Fisheries does hereby grant a servitude to the Catahoula Parish Police Jury for use and maintenance of said road under the conditions and limitations as listed on the attached document.

THE CHAIRMAN: Mr. Herring, I received a letter to the Commission from Exxon. Did you perhaps see a copy of that letter?

MR. HERRING: Yes, sir. I was bringing that up next, Mr. Chairman. We have received a request from Exxon and we have Mr. Gene McDevitt here, who is a representative of Exxon. I will



call on him very shortly to explain the letter and their point in their pipeline on Catahoula Lake.

As you know, Louisiana Wildlife and Fisheries does have control of Catahoula Lake by legislative act and their wells are on State Lease 502 on Catahoula Lake. At one time Exxon had 3,842 acres under lease and now they have let most of it go, it is down to 320 acres, but they didn't reserve any rights for pipelines as they let that go. Their present pipelines are all above ground and they have requested that any new pipelines or the ones there remain above ground.

We would like to recommend that any new pipelines that Exxon does put in on Catahoula Lake that they be buried to a minimum depth of 12 inches. A lot of this is due to the fact that we request all other companies to bury that lines. That is No. 1. No. 2 is the navigational hazards that we have with pipelines being above the ground or you might say between the ground and the water level, especially when it is shallow there, boats running over it. We also have farm equipment in that area, not only the Department's farm equipment occasionally



but other people's crossing it when the water is down and it is a fairly hard bottom on there and you can drive on it. We do operate tractors, dozers and other types of equipment on this land, as far as vegetational control ourself, along with airboats and other things.

We would recommend that to Exxon Company that all new lines be buried in there that they would put in. We would also prepare with them an indemnity clause that we would not be held liable for any of the old pipelines that are exposed there should we see fit to leave those above ground, but we would recommend that all new pipelines be buried.

I would like to ask Mr. McDevitt then to explain to you Exxon's position on that.

THE CHAIRMAN: Mr. McDevitt.

MR. McDEVITT: Mr. Chairman and Members of the Commission, thank you, Mr. Herring. We appreciate I think fully the concern of the Commission. We believe that we have some rather unique operating problems in the Catahoula Lake field. Principally our concern is twofold. No. 1,



that we do a good job as a lessor of the State of Louisiana in producing its oil and gas from our wells within the lake and, No. 2, that we protect the environment to the best of our ability.

This is done in minimizing pipeline breaks, hopefully resulting in few pipeline leaks. To achieve this during the year of 1977 we initiated a rather extensive pipe testing program which requires us to pressure-test each of our lines every six months. We do this by building the pressure up to some 5,000 pounds of hydrostatic pressure. If we identify any leak, any decline in pressure, then we identify the source of the problem and repair the line. We are pleased with the positive results that we have had. We are very sensitive to the environment and certainly don't want to have any leaks.

To achieve this goal we need to have our lines so that they are somewhat readily accessible, and we are concerned about the 12 inches of cover, and we have suggested six inches so that the lines will be more accessible to us. We believe that this will satisfy your concern with



respect to your operation of the lake. No. 2, of course, is the unique problem that we have with respect to paraffin. Our lines, the oil that we are using and flowing in those lines, does contain quite a bit of paraffin, and particularly in the cold months our lines build up and we need to be able to get to the lines, lift them up, break them apart, blow the paraffin or get the paraffin out and then return them to service. Our concern there again would be with perhaps as much as 12 inches of cover, it would make it extremely difficult for us to get to the lines with that amount of overburden. That we believe is another reason for the six inches that we are suggesting.

I would be happy to answer any questions that you all may have.

THE CHAIRMAN: I was talking with Mr. Luttrell who lives up on Catahoula Lake -- I call him Catahoula Luttrell most of the time -- and I believe you are prepared to make a recommendation for a motion, Mr. Luttrell.

MR. LUTTRELL: Yes. The motion that I am prepared to make, of course, recognizes the



problems that he has outlined for a new line to be buried six inches. I have no objection to 12 inches but there is one thing I wanted to add. The existing lines shall be buried the same distance, approximately six inches, when they are worked on, which is every six months. Instead of going out and having a project to cover and bury all those lines, as they pick up one and test it, they can push it back underground at least six inches.

Mr. Berry, I am prone to go along with 12 inches but I would like to say six inches or more on new lines. Is that a clear recommendation?

THE CHAIRMAN: In other words, you move that they be allowed to operate in Catahoula Lake with the lines having at least six inches of cover on them?

MR. LUTTRELL: Right.

THE CHAIRMAN: And that they will be so buried as they pull them out and test them and recheck them or work on them.

MR. LUTTRELL: All existing lines will so buried as they are being worked on.



THE CHAIRMAN: Gentlemen, we have a motion. Do I have a second?

MR. DUPUY: I will second it.

THE CHAIRMAN: Seconded by Mr. Dupuy. Is there any further discussion? All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

Thank you, Mr. McDevitt.

(The full text of the resolution is here made a part of the record.)

WHEREAS, Exxon Company, U.S.A. has production wells in the Catahoula Lake Field in LaSalle Parish, Louisiana, and

WHEREAS, Exxon failed to acquire right-of-way across certain areas of Catahoula Lake, and

WHEREAS, Exxon is in need of rights-of-way for the existing pipelines



from the Louisiana Department of Wildlife and Fisheries,

NOW THEREFORE BE IT RESOLVED that the Department of Wildlife and Fisheries hereby grants a right-of-way to Exxon Company, U.S.A. under the following stipulations:

1. That Exxon pay right-of-way fees according to the prescribed rate fee.
2. That the Commission policy of burying pipelines be waived for existing pipelines on the lake.
3. With respect to those lines already in existence, the Department should be protected by adding to the pipeline right-of-way contract the following indemnity clause:
"Grantee hereby agrees to defend, indemnity and hold Grantor harmless from any and all claims for damages or injury to persons or property, demands, actions or causes of any



nature whatsoever asserted or sued for with respect to or in any way arising from Grantee's exercising the rights granted herein, save and except where such claim for damages or injury to persons or property, demands, action or causes of action are caused by or result from the sole or joint negligence or willful acts of Grantor or its successors, assigns, employees, agents, representatives or licensees."

4. That all future pipelines will be buried in accordance with stipulations directed by the Department.

THE CHAIRMAN: I believe that concludes our formal meeting. Does anyone in the audience wish to be heard this morning? If not, we will stand adjourned. Thank you very much.

(Whereupon, at 10:40 o'clock
a.m. the meeting was adjourned.)

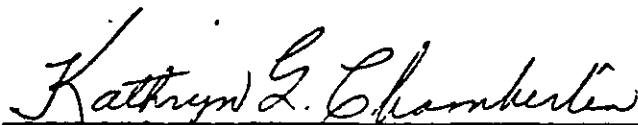
Kathryn G. Chamberlin,
Reporter.



C E R T I F I C A T E

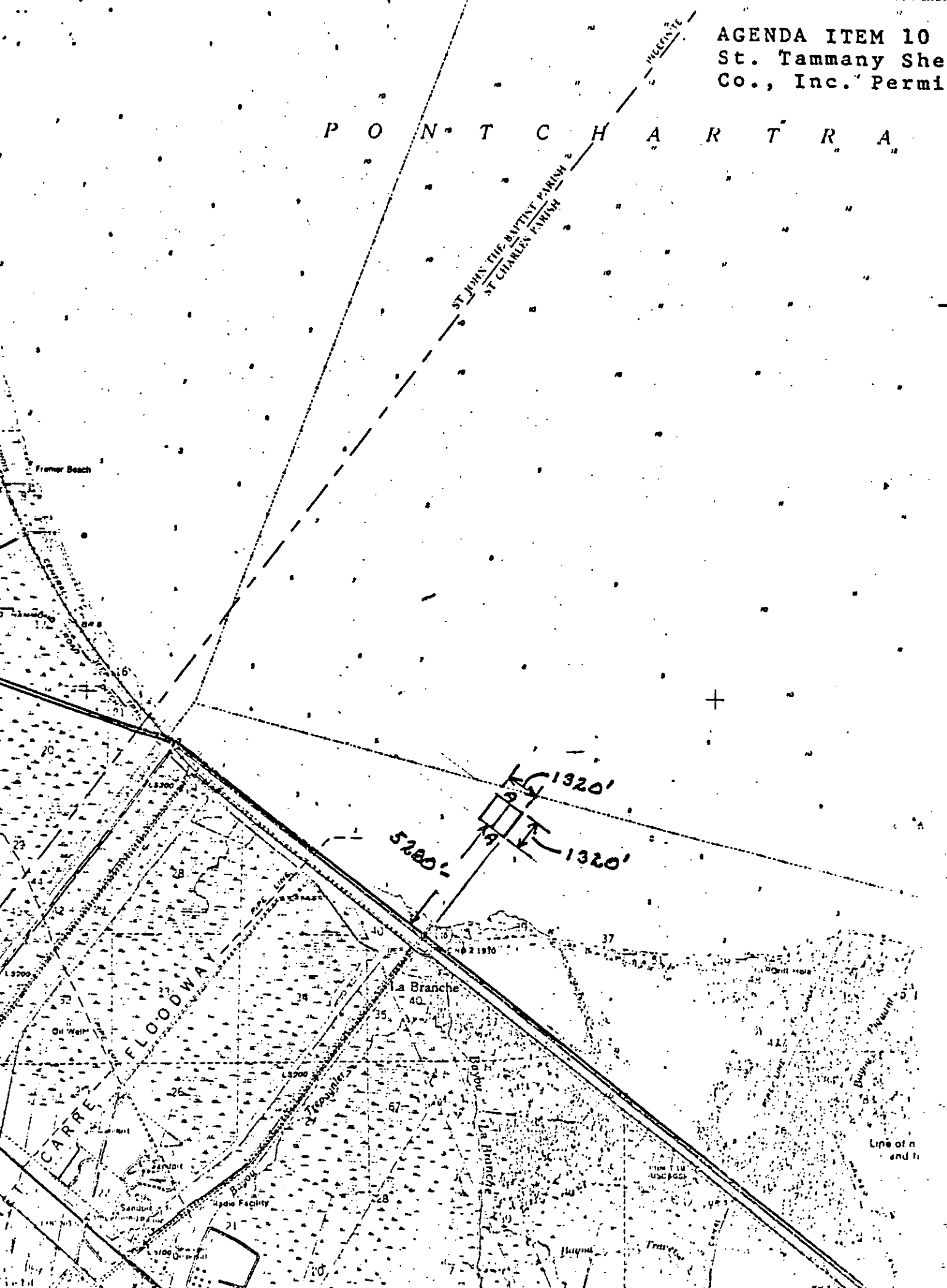
I, the undersigned reporter, DO HEREBY CERTIFY that the above and foregoing (42 pages of typewritten matter) is a true and correct transcription of the tape recording and of the stenographic notes of the proceedings herein, transcribed by me, at the time and place hereinbefore noted.

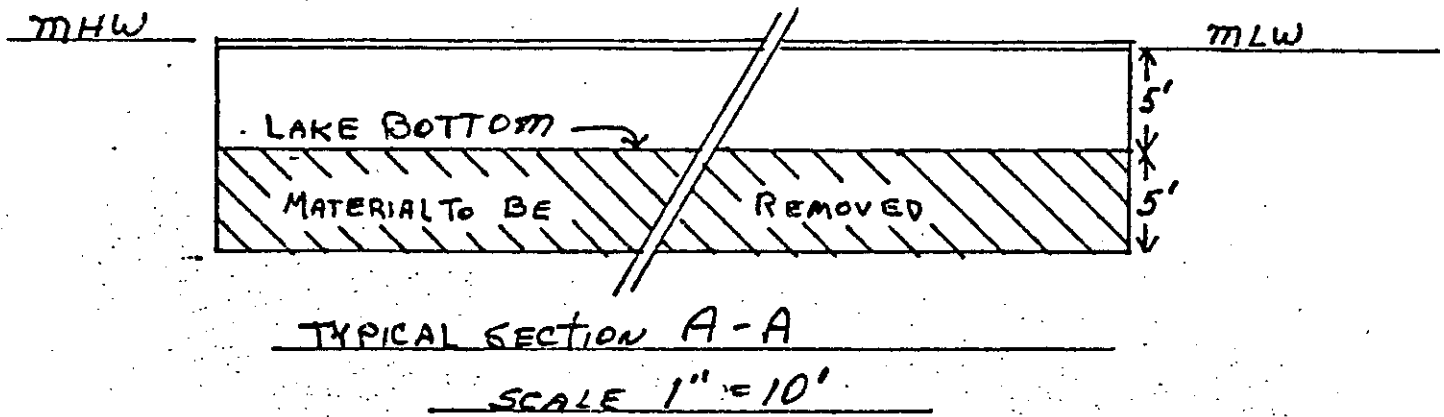
New Orleans, Louisiana, this 29th day of
December, 19 78.


Kathryn G. Chamberlin,
Reporter.



P O N T C H A R T R A





ALL MATERIAL TO BE PLACED ON DECK BARGES